

State Vs. Deepak Sharma

BA No. 3090/2022
CNR No.PBHO010088402022
Date of order: 03.12.2022

FIR No.108, dated 24.11.22,
U/s 498-A, 406 IPC, 1860 ,
PS Talwara, Distt. Hoshiarpur .

Present: Sh.T.S. Grewal, cl for the applicant.
Addl. PP for the State.
Sh.PS Ghuman,counsel for the complainant

Sh.PS Ghuman, advocate filed Vakalatnama on behalf of the complainant.

Record produced. Perusal of the file shows that in this FIR complainant alleged maltreatment, harassment, torture and cruelty at the hands of the accused for demand of dowry. Story of prosecution is that complainant was married to Deepak Sharma on 14.11.17 after giving sufficient dowry with great pump and show, and after the marriage her in-laws family started harassing and taunting her. Then telling the story of her woes metted out to her at the hands of accused persons at the matrimonial house she stated that her husband started demanding Rs.50 lakhs after losing his job for the purpose of starting a business and also stated that he has no interest in the complainant. Even the efforts made for reconciliation failed. They also misappropriated her articles. This bail application is on behalf of **husband.**

Ld. Addl. PP argued that accused not co-operative and not joining the investigation, whereas Ld. Counsel for the accused states that the accused ready to join the investigation so accused entitled for interim bail and accused relied upon the order of Hon'ble Supreme Court vide which, while making the provisional bail absolute, on 2.7.2014 in criminal appeal

no. 1277 of 2014 (Arnesh Kumar Vs. State of Pb.) Hon'ble Supreme Court observed that “there is phenomenal increase in matrimonial disputes in recent years. The institution of marriage is greatly revered in this country. Section 498-A of the IPC was introduced with avowed object to combat the menace of harassment to a woman at the hands of her husband and his relatives. The fact that Section 498-A is a cognizable and non-bailable offence has lent it a dubious place of pride amongst the provisions that are used as weapons rather than shield by disgruntled wives. The simplest way to harass is to get the husband and his relatives arrested under this provision.” Hon'ble Supreme Court further held that,

“The rate of charge-sheeting in cases under Section 498-A, IPC is as high as 93.6%, while the conviction rate is only 15%, which is lowest across all heads.”

So, after relying upon this order of Hon'ble Supreme Court and without expressing my opinion on the merits of the case, the accused directed to join the investigation by contacting the Investigation Officer within **ten days** and then to co-operate fully during investigation disclosing all the facts within knowledge and to inform regarding having joined the investigation on the next date of hearing. If in the meanwhile accused **Deepak Sharma** arrested, accused be released on interim bail to the satisfaction of the arresting officer/ investigating officer. The accused shall continue appearing in this Court unless appearance is specifically exempted. IO is to appear in the court on the next date fixed as 20.12.22.

Pronounced. Dated: 03.12.2022	Sandeep Singh Jossan PB0150 Additional Sessions Judge, Hoshiarpur.
--	---

Typed by : Mukesh Chander, Stenographer Grade-I.